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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/696,129

10/29/2003

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07/24/2006

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/696,129	<b>Applicant(s)</b> PELAEZ ET AL.	
	<b>Examiner</b> Sharad Rampuria	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

II. The current office-action is in response to the amendments/remarks filed on 05/08/2006. Accordingly, Claims 1-20 are pending for further examination as follows:

***Drawings***

III. The receipt of drawings filed on 05/08/2006 is accepted by examiner.

***Claim Rejections - 35 USC § 103***

IV. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

V. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peters et al. [US 6590969] in view of Pepe et al. [US 5742905].

As per claim 1, Peters teaches:

A method of forwarding calls (Abstract) for a subscriber having a primary communication device (2; Fig.1, Col.3; 21-26, Col.1; 53-Col.2; 3) and a plurality of alternate communication devices (6; Fig.1, Col.3; 32-40) in a multimedia (Col.2; 40-45) telecommunication network, the method comprising:

Receiving a call for the subscriber's primary communication device from a caller; (i.e. CALL\_RX; FIG.2, Col.4; 51-Col.5; 13)

Determining the type of the call that has been received; (i.e. TYPE\_DET; FIG.2, Col.4; 51-Col.5; 13)

Matching the type of call received to the call forwarding profile; (Col.5; 14-50) and

Routing the call to the proper alternate user device according to the call forwarding profile. (Col.5; 14-50 and Claim 1)

Peters doesn't deliberately teaches receiving a call forwarding profile for the subscriber's primary communication device at a network server, the call forwarding profile specifying at least one of the alternate communication devices to which specific types of calls, based on the incoming media, are to be forwarded; Storing a call forwarding profile at the network server.

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However, Pepe teaches in an analogous art, that receiving a call forwarding profile for the subscriber's primary communication device at a network server, the call forwarding profile specifying at least one of the alternate communication devices to which specific types of calls, based on the incoming media, are to be forwarded; (Col.8; 1-19, Col.10; 66-Col.11; 54)

Storing a call forwarding profile at the network server (48; Fig.4, Col.8; 1-19, Col.10; 66-Col.11; 54) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Peters including receiving a call forwarding profile for the subscriber's primary communication device at a network server, the call forwarding profile specifying at least one of the alternate communication devices to which specific types of calls, based on the incoming media, are to be forwarded; Storing a call forwarding profile at the network server in order to provide a mobile service subscriber with the ability to remotely control the addressability, routing, accessibility, and delivery of messaging options.

As per claim 2, Peters teaches:

The method defined in claim 1, wherein the call comprises an instant message, a short message service, a multimedia message service, a voice call, or a data call. (Col.2; 4-25 and 40-60)

As per claim 3, Peters teaches:

The method defined in claim 1, wherein the multimedia telecommunication network includes an IP multimedia subsystem. (Col.2; 40-60)

As per claim 4, Peters teaches:

The method defined in claim 3, wherein the network server comprises a home subscriber server in the IP multimedia subsystem. (Col.2; 40-60)

As per claim 5, Peters teaches:

The method defined in claim 3, wherein the network server comprises an application server in the IP multimedia subsystem. (Col.2; 40-60)

As per claim 6, Peters teaches:

The method defined in claim 1, wherein the primary communication device comprises a mobile phone, a personal digital assistant, a notebook computer, or a desktop computer with multimedia communication capabilities. (Col.3; 20-26)

As per claim 7, Peters teaches:

The method defined in claim 1, wherein the call forwarding profile is programmed by the subscriber via an automated service, by entering a feature activation code, through the Internet (World Wide Web), or by calling a call center. (Col.2; 40-60)

VI ***Claims 8-14*** is the system claims corresponding to method claims *1-7* respectively, and rejected under the same rationale set forth in connection with the rejection of claims *1-7* respectively, above.

As per claim 15, Peters teaches:

In a multimedia telecommunication system (Abstract, Col.2; 40-45), apparatus for forwarding calls for a subscriber having a primary communication device (2; Fig.1, Col.3; 21-26, Col.1; 53-Col.2; 3) and a plurality of alternate communication devices (6; Fig.1, Col.3; 32-40), comprising:

A call session control function adapted to receive a call for the subscriber's primary communication device from a caller, determine the type of the call that has been received, (i.e. CALL\_RX; FIG.2, Col.4; 51-Col.5; 13) and route the call to the proper alternate communication device according to the call forwarding profile. (Col.5; 14-50 and Claim 1)

Peters doesn't deliberately teaches a network server adapted to receive a call forwarding profile for the subscriber's primary communication device, the call forwarding profile specifying at least one of the alternate communication devices to which specific types of calls are to be forwarded; A centralized database to store the call forwarding profile. However, Pepe teaches in an analogous art, that a network server adapted to receive a call forwarding profile for the subscriber's primary communication device, the call forwarding profile specifying at least one of the alternate communication devices to which specific types of calls are to be forwarded; (Col.8; 1-19, Col.10; 66-Col.11; 54) and

A centralized database to store the call forwarding profile (48; Fig.4, Col.8; 1-19, Col.10; 66-Col.11; 54)

VII. **Claims 16-20** are the apparatus claims corresponding to method claims **2-6** respectively,

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and rejected under the same rationale set forth in connection with the rejection of claims 2-6 respectively, above.

***Response to Amendments & Arguments***

VIII. Applicant's arguments with respect to claims 1-20 has been fully considered but is moot in view of the new ground(s) of rejection.

***Conclusion***

IX. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.




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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or [EBC@uspto.gov](mailto:EBC@uspto.gov).

Sharad Rampuria  
Examiner  
Art Unit 2617

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER